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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities
Fifteenth session

Summary record of the 244th meeting
Held at the Palais Wilson, Geneva, on Tuesday, 5 April 2016, at 3 p.m.

Chair: Ms. Cisternas Reyes

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Initial report of Serbia

* Reissued for technical reasons on 18 April 2016.

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Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Serbia (CRPD/C/SRB/1; CRPD/C/SRB/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Serbia took places at the Committee table.*

2. **Ms. Paunovic** (Serbia), introducing her country's initial report (CRPD/C/SRB/1), said that Serbia had clearly demonstrated its commitment to the protection of human rights and fundamental freedoms, the promotion of the rule of law and the further strengthening of democratic society. Serbia had ratified the core international human rights treaties and, as a candidate country for accession to the European Union, had focused on reforming its legal framework, improving media freedoms and enhancing human rights for all sectors of society. He pointed out that the Government of Serbia had not been able to monitor the implementation of the Convention on the Rights of Persons with Disabilities in one territory which, pursuant to United Nations Security Council resolution 1244 (1999), was administered entirely by the United Nations Interim Administration Mission in Kosovo (UNMIK). He therefore invited the Committee to seek the necessary information separately from UNMIK.

3. All forms of discrimination, direct and indirect, were prohibited under the Constitution, and Serbia had enacted wide-ranging anti-discrimination legislation, such as the Law on Prevention of Discrimination against Persons with Disabilities, which had made disability-based discrimination an offence and contained measures to promote equality and social inclusion. The Strategy for Improving the Position of Persons with Disabilities for the period 2007-2015 included defined goals and measures with a view to adopting a rights-based approach to matters affecting persons with disabilities.

4. Other initiatives included a mental health strategy aimed at ensuring a comprehensive, psychosocial approach to treatment in the community; and a strategy and accompanying action plan for the period 2014-2018 on protecting and improving the position of nine specific groups of the population vulnerable to multiple forms of discrimination, which included persons with disabilities. A national council for persons with disabilities had also been established and had, in January 2016, initiated the development of a strategy and action plan for the period 2016-2020 on the protection of persons with disabilities.

5. Serbia had made great strides in deinstitutionalizing the care of children with disabilities and had one of the lowest institutionalization rates in Europe. Emphasis had been placed on reducing reliance on residential care in favour of community-based services for children and families, which included day-care centres, supported housing and in-house support services. Institutionalization was now only used in cases where the support required could not otherwise be provided. Accordingly, the number of children with disabilities placed in foster care had increased considerably. There was, however, a shortage of suitable foster families.

6. The Law on the Protection of Persons with Mental Disabilities, adopted in May 2013, protected the human rights of persons with mental health difficulties and stipulated that such persons could be institutionalized voluntarily or, in certain circumstances, without their consent.

7. Under Serbia's programme of educational reform, provision was made for individualized teaching and additional support for children with disabilities. Textbooks

were also required to be provided in the most appropriate format for the needs of the child, including in Braille, electronic formats and in national minority languages.

8. In the area of employment, the 2009 Law on Professional Rehabilitation and Employment of Persons with Disabilities had introduced a mandatory quota system for employers. Furthermore, the 2014 Law on Amendments to the Labour Law obliged employers to provide appropriate alternative employment for a person with disabilities who was not able to perform the tasks for which they had been hired. In the event that no suitable position could be found, the employer could either terminate the employment contract on the ground of redundancy, subject to provision of a severance package, or arrange appropriate work with another employer.

9. Since the Law on Prevention of Discrimination against Persons with Disabilities defined the inaccessibility of public buildings and services as an act of disability-based discrimination, all new construction and renovation projects were strictly regulated by detailed accessibility standards. Moreover, the Guide Dog Assistance Law had made it possible for blind and visually impaired persons to exercise their right to unhindered movement, while the Law on the Use of Sign Language enabled deaf persons to exercise their right to communicate using sign language in procedures involving State authorities, regulated the status of sign language interpreters and contained sanctions for non-compliance.

10. **Ms. Jović** (Office of the Ombudsman, Serbia) said that Serbia had made significant progress over the past decade by, inter alia, ratifying the Convention and improving the legal framework within which persons with disabilities could exercise their rights. However, persons with disabilities continued to face obstacles to the free exercise of the rights enshrined in the Convention and the Serbian Constitution. Those obstacles were largely attributable to deep-rooted discriminatory attitudes and the segregation of persons with disabilities. Moreover, the lack of financial resources, particularly for developing nations and those affected by the economic crisis, had hampered the implementation of certain obligations.

11. It was hoped that, by reducing the inappropriate distribution of funds, the Government would be able to fully implement its objectives, such as ensuring the accessibility of public buildings, which remained a significant area of concern and prevented persons with disabilities from exercising certain rights. In that connection, schools and other educational facilities were often inaccessible, and the system of additional educational assistance for children with disabilities had not been properly developed. Despite legal efforts to promote the employment of persons with disabilities, gaps in the education system had a direct impact on their employment opportunities, preventing them from becoming independent members of society.

12. Lastly, one of the most vulnerable groups of persons with disabilities were those with mental impairments who were often institutionalized rather than being allowed to live in a natural family environment. Although provision had been made for community-based services, they were often poorly developed, poorly funded and there were too few of them. For deinstitutionalization to be successful, a clear plan that included all stakeholders, at both the national and the regional level, and the families of persons with disabilities was needed.

13. **Mr. Janković** (Office of the Ombudsman, Serbia) said that the long-term institutionalization of persons with disabilities was of major concern to the Ombudsman. As the country's national preventive mechanism against torture, the Ombudsman had visited hundreds of places where persons were deprived of their liberty and had made recommendations to the families of such persons in institutions such as prisons, detention centres and psychiatric hospitals, as well as to the institutions concerned and the competent

authorities. Persons with disabilities who were deprived of their liberty were a particularly vulnerable group and, for that reason, the Ombudsman was working closely with the prison authorities in an effort to prevent persons with mental impairments from being imprisoned.

14. Pursuant to his mandate as the national preventive mechanism, the Ombudsman had also visited specialized institutions for the care of persons with disabilities and had issued recommendations to the State authorities. In general, he had reported finding poor conditions, staff shortages and the use of unacceptable practices in contravention of international standards, such as the use of body restraints and isolation for persons with mental impairments. However, even if all of those major issues could be resolved, those institutions were often disconnected from any community, so that residents could spend long periods of time away from — or indeed never again see — their home communities. Further efforts and dialogue with the State authorities would continue with regard to deinstitutionalization and it was hoped that future cooperation would yield positive results. For that to happen, it was important for the competent ministries to cooperate in dealing with the discrete issues affecting persons with mental impairments and those affecting other persons with disabilities.

15. **Mr. Lovászy** (Country Rapporteur) said that the State party was to be commended on its well-prepared initial report and replies to the list of issues (CRPD/C/SRB/Q/1/Add.1). He welcomed the sincere commitment demonstrated by the State party in ratifying an extensive list of international human rights conventions and noted with satisfaction that attitudes towards persons with disabilities in the State party were improving. The fact that Serbia had already enacted a law on the prevention of discrimination against persons with disabilities prior to its adoption of the Convention on the Rights of Persons with Disabilities was particularly encouraging. However, there remained scope for improvement in relation to the definitions of disability and discrimination.

16. In the area of employment, although the rise in the number of employed persons with disabilities was encouraging, he wondered whether any active labour market policies and measures had been adopted to further increase the employment rate. In that connection, the Committee would welcome additional information on the amendments to the Labour Law in respect of the termination of the employment of persons with disabilities. He also wished to know what action the State party intended to take to prevent persons with disabilities from being segregated in sheltered workshops or from being left inactive or unemployed. Information on the efficiency of the quota system should also be provided.

17. He noted that the State party had introduced a National Strategy for Improving the Position of Women and Promoting Gender Equality for the period 2010-2015 and would welcome further information on its implementation and funding. The Committee was, however, concerned at reports that the sanctions contained in the Criminal Code for the offences of sexual violence, rape and sexual abuse discriminated against women victims with disabilities.

18. He said that he would appreciate further information regarding the status of the bill on the use of Serbian Sign Language, including whether steps had been taken to increase the number of sign language interpreters and recognize sign language as the official language of deaf persons in judicial and administrative settings. In the light of the forthcoming general election, he also wished to know whether efforts would be made to provide alternative voting materials, particularly in Braille and easy-to-read formats.

19. Regarding children with disabilities, he asked what concrete policies had been implemented to prevent their institutionalization and ensure that they could attend mainstream schools. Information on the role played by teaching assistants in the schooling of children with disabilities would also be welcome.

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20. **Ms. Quan-Chang** asked whether the State party intended to strengthen the penalties handed down in cases of rape or sexual abuse involving women with disabilities. She also wished to know what measures had been taken to support the parents of children with disabilities and reduce the number of children with disabilities placed in institutional care.

21. **Mr. Ruskus** asked what steps had been taken to promote the training of professionals working with persons with disabilities in the rights recognized in the Convention. He also requested further information on the efforts made to promote a human rights rather than a medical approach to disability. Lastly, he asked whether the State party had established monitoring mechanisms to evaluate the impact of national disability policies, in consultation with organizations of persons with disabilities.

22. **Mr. Buntan** said that he would like to receive more information regarding the definition of discrimination on the basis of disability and the corresponding complaints procedures and sanctions set forth in anti-discrimination legislation. He also wished to know more about the Guide Dog Assistance Law and the availability of sign language interpretation for deaf persons. What steps had been taken to guarantee barrier-free access to public buildings for persons with disabilities and to prosecute companies and organizations that violated accessibility requirements?

23. **Mr. Langvad** asked what efforts had been made to consult and actively involve organizations of persons with disabilities in the development and implementation of legislation and policies relating to disability. He also wished to know what penalties were available to enforce the rights of persons with disabilities in the area of reasonable accommodation and protection against discrimination. What measures were being taken to ensure that children with disabilities, particularly children in institutions, were enabled to have access to mainstream education? How had the 55 million dinars set aside in the 2014 national budget for children in institutions been spent?

24. **Ms. Peláez Narváez** said that she would welcome further information regarding the measures adopted to combat multiple and intersectional discrimination against women and girls with disabilities. She also wished to know what steps had been taken to prevent mothers with disabilities being subjected to measures to control their reproductive capacity without their prior informed consent. As to children with disabilities living in institutions, she asked what efforts had been made to improve their general living conditions and ensure that their parents could visit them regularly.

25. **Ms. Kingston** said that she would like to know how many children with disabilities had been placed in institutional care in 2015 and what steps had been taken to strengthen family outreach activities. Further explanation of the use of psychotropic medications on children with disabilities in institutions would also be welcome.

26. **Mr. Al-Tarawneh** asked whether domestic legislation explicitly prohibited all forms of discrimination on the basis of disability, including the denial of reasonable accommodation. He also wished to know whether the Government had drafted an accessibility action plan to create a barrier-free environment for persons with disabilities and had conducted national disability awareness-raising campaigns.

27. **Mr. Kim** Hyung Shik said that he would like to know what steps had been taken to harmonize the various definitions of disability contained in domestic legislation and to involve persons with disabilities and their representatives in the elaboration of an accessibility road map.

28. **Mr. Babu** asked what measures had been adopted to promote sign language and alternative forms of communication under the Strategy for Improving the Position of Persons with Disabilities.

29. **Mr. Pyaneandee** said that he would like to know what steps had been taken to enforce anti-discrimination legislation. How many complaints involving discrimination had been submitted by persons with disabilities in recent years?

30. **Ms. Degener** asked what specific training had been provided to health professionals responsible for treating children with psychosocial and intellectual disabilities. Detailed information on the number of persons with disabilities living in institutions compared to the number of persons with disabilities living in the community would also be welcome.

31. **Mr. Basharu** asked what concrete measures had been adopted to ensure that children with disabilities could live in the community. He also wished to know what steps had been taken to recognize and promote the use of sign language and Braille.

32. **Mr. You** Liang said that the delegation should comment on efforts to raise public awareness of the need to move from the traditional medical model of disability towards a human rights-based model.

33. **Mr. Lovászy** asked to what extent the State party had taken into account the Committee's general comment No. 2 on article 9: accessibility. He would welcome an update on progress with regard to the standardization of sign language. What legal obligations were in place concerning subtitling and sign language interpretation for nationally broadcast programmes? How many public institutions were accessible and what sanctions were imposed in the case of non-compliance with accessibility standards? He asked about the progress of the telecentre initiative and what options it provided for persons who were deaf or hard of hearing.

34. **The Chair** asked what reasons would justify the exceptional institutionalization of children under the age of 3. Was there a complaint mechanism for children whose rights had been violated in institutions? She wondered how the Government followed up on the reports of the Ombudsman concerning cruel, inhuman or degrading treatment, particularly of children.

The meeting was suspended at 4.30 p.m. and resumed at 4.50 p.m.

35. **Ms. Prijic** (Serbia) said that the Government was developing strong cooperation with organizations of persons with disabilities. In February 2016, as a result of cooperation with the National Organization of Persons with Disabilities and the Union of the Blind, the Law on Prevention of Discrimination against Persons with Disabilities had been amended to allow for the use, in all legal procedures, of a facsimile stamp by all persons who were unable to sign a document owing to their impairment. Work was under way on a new piece of legislation to regulate the status of organizations of persons with disabilities and their funding modalities and on a new strategy for the improvement of the position of persons with disabilities, based on the European Disability Strategy. There were plans to amend the Family Law, the Law on Social Protection and the Law on Financial Support to Families with Children to improve the position of persons with disabilities, taking due account of the recommendations of the Ombudsman.

36. **Mr. Vukicevic** (Serbia) said that the definition of the offence of intercourse with a defenceless person in the Criminal Code was not discriminatory but intended to provide additional protection, and it did not rule out the applicability of the crime of rape. It was often not possible to secure a prosecution for rape, the principal element of which was violence, because persons with disabilities were unable to put up resistance. The crime of intercourse with a defenceless person had been introduced in order to make prosecution possible even in such cases. If the victim had put up resistance, the crime of rape applied and the potential sentence was 3 to 12 years' imprisonment, with disability as an aggravating circumstance.

37. **Ms. Kotevic** (Serbia) said that in 2009 Serbia had developed a master plan for the transformation of residential social protection institutions for children without parental care and children with developmental difficulties. According to data from 2015, there were a total of 668 children in such institutions. Under the plan, the institutionalization of children under the age of 3 was permitted only in exceptional circumstances, usually in cases of abuse or neglect by the child's family, and then only as an urgent, temporary measure until placement with a foster family could be arranged. There were now more than 6,200 children in the foster care system, approximately 30 per cent of whom were in special foster care for children with intellectual disabilities. Training was provided to all prospective foster carers, and there were special training packages for carers of children with particular disabilities.

38. Local services, such as community day care for children not in mainstream education, weekend respite care and psychosocial and educational workshops, had been developed to support families of children with disabilities. Persons with disabilities were given skills to live independently in supported housing when they were no longer able to live in the family home because of their parents' old age. In order to ensure the uniformity of the quality of services provided across the country, service and professional licensing processes would be completed by May 2016. The State continued to earmark funds for local governments to provide social protection services at the local level. Organizations of persons with disabilities could apply for State financial and technical support to provide services locally, such as personal assistance services.

39. Much work remained to be done in order to fully implement the transformation plan, but funding was available from the European Union and other donors for that purpose. The capacity of residential institutions had already been considerably reduced and replaced with community-based services, and some larger institutions had been divided into smaller units to facilitate an individualized approach to clients.

40. **Mr. Cakarevic** (Serbia) said that psychotropic medications could be prescribed only by psychiatrists and neuropsychiatrists. Medications administered to children in institutions must be on the approved list of medications adopted jointly by the National Health Insurance Fund and the Medicines and Medical Devices Agency. All medications must be in compliance with European Union legislation, but there was no requirement to meet United States standards. Pursuant to 2013 legislation on patients' rights, no medical procedure could be carried out without the patient's consent or that of their legal guardian if they were a child or a person without legal capacity. If the medical professionals in charge believed that the guardian was not acting in the patient's best interests, they were required to notify the guardianship authority. Since the deinstitutionalization process had begun, there had been a marked decrease in the occupancy rate in many of the larger psychiatric hospitals.

41. **Ms. Prijic** (Serbia) said that the Law on Professional Rehabilitation and Employment of Persons with Disabilities was based on a social model of disability. Work capacity assessments were conducted on the basis of the provisions of that law by a multidisciplinary committee of physicians, psychologists, social workers and other professionals who evaluated each individual's prospects for employment or career advancement. As a result of such assessments, almost 5,000 persons with disabilities who had been registered as unemployed had entered employment in 2015.

42. **Ms. Rajsic** (Serbia) said that recent legislation required the public media to make all relevant information available to persons with disabilities as well as other vulnerable persons. The public broadcaster was obliged to use sign language and there were plans to provide training to the media on sign language and captioning. The Government financed civil society projects to produce media content of relevance to, and developed with the participation of, persons with sensory disabilities. Regarding the forthcoming general

election, the regulatory body for electronic media had adopted guidelines on information sharing for the benefit of persons with hearing impairments.

43. **Ms. Gavrilovic** (Serbia) said that new legislation on accessibility had been enacted, focusing on compliance with the technical standards for the planning, design and construction of public and commercial buildings and spaces and residential buildings of 10 or more apartments. A register of accessible premises would be prepared. The relevant legislation stipulated penalties for failure to comply with building accessibility standards. The entry into force of the law on inspection oversight in April 2016 was expected to enhance accessibility. Regarding public transportation, work was under way to bring all legislation into line with European standards.

44. **Ms. Prijic** (Serbia) said that all but one of the social welfare institutions were fully accessible and the national employment office was more than 90 per cent accessible. Pension and disability insurance fund branch offices would all be made accessible by the end of 2016. Work was under way to make other facilities, such as the police administration, accessible.

45. **Mr. Cakarevic** (Serbia) said that all primary health-care facilities were accessible to persons with disabilities. However, persons with disabilities could still experience difficulties in accessing the upper floors of a number of secondary health-care facilities on account of the absence of lifts. The Government would continue its efforts to ensure the accessibility of all health-care facilities.

46. **Ms. Loncar-Kasalica** (Serbia) said that the Ministry of the Interior had worked diligently to ensure the physical accessibility of its buildings to persons with disabilities, including through the installation of access ramps and lifts. However, there were still a number of police stations that were not fully accessible to persons with disabilities owing to the structure of the buildings. Where persons with disabilities were unable to come to a police station for administrative purposes, a police officer could visit them at their habitual place of residence to provide assistance. However, persons with disabilities were not normally required to come to a police station for such purposes. The ministry responsible for cultural affairs was working to ensure the physical accessibility of all cultural institutions in the country.

47. Serbian law recognized sign language as the official language of deaf persons and guaranteed the right of those persons to sign language interpretation services when appearing before the public authorities and in certain workplace scenarios. Sign language interpretation services had first been introduced in 2010 and were funded by the Ministry of Labour. Sign language interpreters were attached to associations for deaf persons and provided interpretation services throughout the national territory. However, demand for sign language interpretation services currently exceeded supply. The education and labour ministries, in cooperation with associations for deaf persons, were developing a training programme in an attempt to fill the supply gap. A telecentre providing a remote sign language interpretation service had begun to operate in Belgrade in 2015. The telecentre was manned by four sign language interpreters who provided an interpretation service to deaf persons through smartphones and tablets. In order to prevent discrimination in access to employment, the cost of providing sign language interpretation services during job interviews was borne by the State and never by the employer. Wherever possible, public television programmes were interpreted into sign language.

48. Associations for blind persons were involved in providing training on the use of guide dogs. Under Serbian law, the definition of a guide dog covered not only dogs used to guide blind persons but also dogs providing other services to persons with disabilities. There were several centres for training guide dogs in Serbia. At the outset, guide dogs received comprehensive training that would enable them to provide any type of service to a

person with disabilities. The Government was in the process of securing additional funds for the purchase of more guide dogs.

49. **Ms. Paunovic** (Serbia) said that the United Nations Interim Administration Mission in Kosovo would be best placed to provide information on the state of implementation of the Convention and the status of persons with disabilities in that region.

50. **Ms. Kotevic** (Serbia) said that the anti-discrimination law characterized multiple discrimination as a serious form of discrimination. The Law on Prevention of Discrimination against Persons with Disabilities required the introduction of mechanisms to protect those persons. In cases of discrimination against a person with disabilities, the individual concerned, his or her legal guardian, personal assistant or a representative of a human rights institution could initiate court proceedings or lodge a complaint with the Commissioner for the Protection of Equality. The cases brought before the courts under the anti-discrimination law and the Law on Prevention of Discrimination against Persons with Disabilities involved, inter alia, discrimination in employment, unlawful sexual intercourse with a minor and racial discrimination.

51. **Ms. Milenkovic** (Serbia) said that, under Serbian law, persons with disabilities were entitled to stand for election and to vote, provided that they were over 18 years of age, enjoyed full legal capacity and were included in the electoral register. Serbian law also provided that persons with disabilities wishing to vote could be accompanied by a personal assistant. If a person with disabilities was unable to reach the polling station, he or she could vote at home in the presence of representatives of the election authorities. A set of rules and instructions governed the process of voting with the help of a personal assistant. Furthermore, the Centre for Independent Living and the national organization for persons with disabilities, with support from the United States, was undertaking a project aimed at increasing the participation of those persons in the political life of the country.

52. **Ms. Simic** (Serbia) said that the Ministry of Education had completed the transition from the medical to the social model of disability. Serbian law guaranteed the right of all children to be enrolled in mainstream schools at all levels. Schools were required to tailor curricula and teaching plans to the educational needs of individual children. A considerable number of children already followed individual learning plans. There were special schools for children with developmental difficulties and disabilities, as well as separate streams for those children in some mainstream schools. Recent surveys indicated that more than 40 per cent of the children with disabilities living in residential care facilities had entered the mainstream education system.

Articles 11-20

53. **Mr. Al-Tarawneh** asked what measures were in place to ensure the protection and safety of persons with disabilities in emergency situations and why organizations of persons with disabilities were not invited to play a role in their implementation. It would also be useful to receive additional information on foster care allowances and the impact of the plan to transform residential social protection institutions for children.

54. **Mr. Langvad** asked how the State party reconciled the construction of new care institutions for persons with disabilities with its efforts to expedite the deinstitutionalization process, and how much had been spent on building new institutions instead of community-based living facilities.

55. **Mr. You** Liang asked why sign language was not the primary means of communication with deaf persons during police questioning and criminal proceedings; whether deaf persons who filed a lawsuit or a complaint had to bear the cost of sign language interpretation services; and whether the decision to enrol a child in either a mainstream or special school was linked to the nature of his or her disability.

56. **Ms. Kingston** asked whether persons with disabilities had provided input into the different laws and strategies designed to protect them in case of emergency or natural disaster; whether adequate psychosocial support was available for persons with disabilities who found themselves in an emergency situation; whether officials working in the law enforcement and justice sectors received training on the Convention; and whether persons with disabilities were provided with reasonable procedural accommodations in legal proceedings as a matter of course. It would also be useful to receive information on the frequency of recourse to physical, chemical and mechanical restraints in institutions and hospitals for persons with disabilities and to know whether helplines for women with disabilities who were the victims of violence were accessible to deaf women.

57. **Mr. Buntan** asked whether guide dogs were allowed into airport buildings in Serbia and whether the State party had adopted any temporary special measures aimed at increasing the number of persons with disabilities working as professionals in the justice sector.

58. **Mr. Kim** Hyung Shik said that, in his view, the fact that institutional care was provided by numerous entities was not conducive to achieving the goal of deinstitutionalization, as those entities could have a vested interest in the current system remaining unchanged. He invited the delegation to respond to that observation. He also asked whether the State party planned to increase the involvement of organizations of persons with disabilities in providing institutional care.

59. **Ms. Quan-Chang**, noting that the State party tended to prioritize refurbishing rather than closing care institutions for persons with disabilities and that the number of persons with disabilities being institutionalized was consequently on the rise, asked what measures the State party envisaged taking to curb further institutionalization of those persons. She welcomed the fact that the national preventive mechanism against torture was empowered to conduct visits to places where persons with disabilities were deprived of their liberty, such as psychiatric hospitals. However, the Committee was deeply concerned by the findings of the visits conducted to such institutions, which pointed to a series of abuses, including the overmedication and prolonged isolation of persons with disabilities, as well as the use of physical and chemical restraints. Moreover, the Committee had received reports that women with disabilities were forcibly administered medication over a prolonged period to prevent pregnancy as a result of sexual abuse. She asked what measures the State party intended to take to protect women and children with disabilities residing in such institutions against sexual abuse, and whether the protocol adopted to that end in 2006 had proven effective.

60. **Ms. Degener** said that the delegation should explain the scope of the amendments made to the law on legal guardianship and the reasons behind the growing number of persons with disabilities being placed under legal guardianship regimes. She asked how many persons with disabilities had been institutionalized since Serbia had ratified the Convention.

61. **Mr. Pyaneandee** said that there was evidence to suggest that, in Serbia, persons with disabilities were often left with little alternative but to resort to the court system to vindicate their rights. He asked whether the State party had considered offering persons with disabilities alternative, more expeditious and less costly legal remedies for violations of their rights.

62. **Ms. Peláez Narváez** asked how the State party guaranteed the protection of persons with disabilities who were refugees or asylum seekers and what services were available to women with disabilities who were the victims of violence and abuse. How did care institutions guarantee the right of women with disabilities to give their free, prior and

informed consent for the purpose of administering contraceptive medication? Had the State party adopted any specific policies vis-à-vis migrants with disabilities?

63. **The Chair** asked whether a person with an intellectual or psychosocial disability who committed a criminal offence could be declared legally irresponsible and, if so, whether he or she would be subject to security measures for an extended period of time. She also asked what measures were in place to ensure that children with disabilities were registered at birth and that their right to an identity and a nationality were upheld.

The meeting rose at 6.05 p.m.

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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities
Fifteenth session

Summary record of the 245th meeting
Held at the Palais Wilson, Geneva, on Wednesday, 6 April 2016, at 10 a.m.

Chair: Ms. Cisternas Reyes

Contents

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Serbia (continued)

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Serbia (continued) (CRPD/C/SRB/1; CRPD/C/SRB/Q/1 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Serbia took places at the Committee table.*

2. **Ms. Prijic** (Serbia) said that persons with disabilities were legally permitted to use all forms of public transportation, including with a guide dog. All air transport companies were also legally required to ensure that persons with disabilities were able to travel without paying any extra charges. Guide dogs were permitted in airports and on aircraft by law.

3. **Ms. Kotevic** (Serbia) said that the allowance provided to a family fostering a child with disabilities was 29,000 dinars for a child with a minor disability and 36,000 for a child with a more severe disability or multiple disabilities, while the sum paid to families fostering a child who did not have a disability was 23,000 dinars. The number of children with disabilities under the age of 18 in social welfare institutions, which currently stood at 474, had decreased steadily from year to year, while the number of those over 18 years of age had not increased.

4. The sum of 132 million dinars, which had been allocated for the operational expenses of such institutions in 2014, was far less than the 400 million dinars earmarked for social protection services at the local level and the 700 million dinars for services provided by non-State institutions at the local level. In addition, around 106.5 million dinars were earmarked for parents who were not entitled to pensions under the Law on Pension and Disability Insurance but qualified for benefits under the Law on Social Protection if they had been caring for a child with disabilities for 15 years or more. A further 96 million dinars had been earmarked for payment of the attendance allowance for assistance and care by another person. It was important to note that no new social protection institutions had been opened or constructed in Serbia in the previous year.

5. Following the adoption of various legislative amendments and the introduction of the new Family Law, in accordance with article 12 of the Convention, it was hoped that there would be no further cases of complete deprivation of legal capacity. Judicial procedures, following allegations of discrimination from persons with disabilities, were initiated very quickly in practice. Each social protection institution was required to have special protocols in place for prescribing medical treatment.

6. **Ms. Gavrilovic** (Serbia) said that gender equality was a priority issue for the Government. The Coordination Body for Gender Equality had been set up in 2014 and a new law and action plan on gender equality were being drafted, to include specific measures on economic empowerment, health care and combating violence against women. The Ministry of Labour and Social Protection worked closely with civil society organizations to provide social protection services and training on issues such as reproductive health. As part of the strategy to be developed in 2016, the Government would focus on combating violence against women, including women with disabilities and women who suffered from multiple discrimination. Serbia was the only country outside the European Union that had adopted and implemented the Gender Equality Index.

7. **Mr. Vukicevic** (Serbia) said that a draft law had been prepared which would provide protection against domestic violence for women with disabilities. Legislation was also planned to improve coordination between the police, prosecutors and the courts in efforts to combat domestic violence. The offences of rape, intercourse with a defenceless

person and intercourse with a child were all covered by the new law. Training in the field of domestic violence was to be provided to students of the Judicial Academy, taking into account the European Convention on Human Rights, the conventions of the United Nations and the European Union *acquis*.

8. **Mr. Andric** (Serbia) said that the Ministry of the Interior, in cooperation with the OSCE Mission to Serbia, had prepared a family manual for action in emergency situations. It was planned to publish the manual in Braille. Emergency public shelters in Serbia had been constructed in the 1980s and were in need of adaptation to ensure that they were accessible to persons with disabilities. The necessary modifications would therefore be carried out in the future. A new Law on Emergencies was also being developed and would focus on protecting persons with disabilities in emergency scenarios. The new law would be drafted in close cooperation with civil society organizations representing persons with disabilities.

9. **Ms. Loncar-Kasalica** (Serbia) said that 700,000 migrants had passed through Serbia recently. They had been provided with health-care services, transportation and accommodation and several pregnant women had given birth in the country; those births had been recorded in the relevant registers. The migration process had been dealt with in a fully transparent manner, with the involvement of the Office of the United Nations High Commissioner for Refugees, civil society and the media. The legislation concerning asylum contained no discriminatory provisions, but none of the applicants for asylum had been persons with disabilities. In 2015 there had been 24 applications for asylum while 10 applications had thus far been received in 2016.

10. **Mr. Cakarevic** (Serbia) said that, in the light of a number of problems identified in psychiatric institutions in 2013, the Ministry of Health had adopted a law on mental health care and a set of regulations which permitted the use of physical restraint, forced hospitalization and isolation only in exceptional cases when there was no other way to prevent an individual from putting their own or a third party's life and safety at risk. The decision to subject an individual to physical restraint, forced hospitalization or isolation was taken by a psychiatrist who was required to justify the medical grounds for the decision in writing. The legal guardian of the individual in question would be automatically notified of such a decision.

11. In the case of someone with mental health difficulties who was admitted to a psychiatric institution without their consent, an urgent examination of the person was required within 24 hours and the relevant court was notified of the decision to detain the person. Within three days of receiving said notification, the court was required to hold a hearing in the detention facility concerned and to give the individual being detained the opportunity to make a statement. With regard to the question that had been asked concerning forcibly administered contraceptive medication, he said that it was not permitted to administer any type of medication whatsoever without consent from the patient or their legal guardian.

12. **Ms. Paunovic** (Serbia) said that sign language interpretation was provided in court proceedings free of charge, in accordance with the relevant legislation. Proceedings could also be conducted in writing, if necessary.

13. **Ms. Simic** (Serbia), in response to Mr. You Liang, said that mainstream schools were required to provide students with disabilities with a physical environment, teaching methods and materials and expert support adapted to their disability as well as an individualized plan of study. She explained that the local interministerial commissions had been established to assess the additional educational, health and support needs of children with disabilities with a view to ensuring as far as possible that they remained in the care of their families, lived in their community and attended the school nearest their home. The

commissions were also responsible for deciding if it was in the best interests of a child to be sent to a special school, if the parents consented.

14. The number of students with disabilities in special schools had dropped by 90 per cent and would no doubt continue to decline. No decision had been taken on what to do with the increasingly empty special schools. They might be converted to prepare children from institutions with severe or multiple disabilities for inclusion in the regular school system, used as resource centres on inclusive education for the mainstream schools or as technical and teaching facilities to prepare teachers for working with children with disabilities.

15. **Mr. Vukicevic** (Serbia), referring to the training of judges, said that the Judicial Academy provided future judges with training in European Union and United Nations human rights norms, including the prevention of discrimination against persons with disabilities. The Academy also offered seminars on special topics for judges, prosecutors and police officials, which likewise dealt with the prevention of discrimination. Training would also be provided on the amendments to the Family Law relating to domestic violence. All judges dealing with minors and persons with disabilities had received specialized training for that purpose. The Ministry of the Interior had a training department for the police that organized workshops on human rights and the treatment of vulnerable groups, including persons with disabilities.

16. There were no quotas for the participation of persons with disabilities in higher education but he noted that the Faculty of Law, one of the country's most prestigious institutions, was fully accessible; its library provided electronic format and audio textbooks and a reading room with audio reading software for blind or visually impaired students. Students with disabilities were consulted on their needs and were accommodated for examinations, which could be taken in writing or orally and in small groups. Professors followed guidelines on how to make their lectures accessible.

Articles 21-33

17. **Mr. Lovászy** (Country Rapporteur) said that he welcomed the increased funding for disability issues and hoped that that trend would continue. With regard to article 31, he requested information on the number of organizations providing social services, how they were licensed and the number of clients they served as well as on the database on local services mentioned in paragraph 106 of the State party's replies to the list of issues (CRPD/C/SRB/Q/1/Add.1).

18. Reverting to article 14, he wondered if any additional safeguards existed to protect the rights of a person with a mental disability given that a decision on involuntary commitment to an institution could be made by one doctor or physician from the institution, who might be biased in his assessment.

19. Turning to article 20, he asked whether provision was made for the use of sign language in driver training for the deaf and whether doctors received training on the criteria for issuing certificates of fitness for drivers with disabilities with a view to ensuring consistency.

20. **Mr. Ruskus**, referring to article 24, noted that fewer than 500 students with disabilities were attending the 18 state or private universities, which would seem to imply that there was no real policy to increase access to higher education for persons with disabilities. He asked whether the State party intended to adopt measures to improve access to higher education and monitor progress made and whether support would be provided in that area to institutions of higher education.

21. Turning to the issue of inclusive education, he said that he had received information that parents were pressured into sending children with disabilities to special schools, teachers had little preparation for dealing with children with disabilities and individualized education plans frequently lacked substance. The State party should provide information on how it intended to change mindsets and promote inclusive education, including the training of teachers in accordance with the New Delhi Declaration on Inclusive ICTs for Persons with Disabilities: Making Empowerment A Reality, and Sustainable Development Goal 4, on quality education.

22. **Ms. Kingston** said that she would appreciate more information on the quality and coverage of early screening of children for disabilities, including for hearing impairment, and on the support available for children with a hearing impairment. She also asked if information was provided to parents on sign language and deaf culture in addition to the possibility of a cochlear implant, whether support teachers were trained in sign language and whether there was research into deaf culture. She asked if a comprehensive dictionary for the deaf was being prepared. She wondered if the helplines for women victims of violence were accessible to deaf and blind women.

23. Referring to article 11 and also article 30 (4), she asked whether emergency evacuation procedures were accessible to the deaf. She enquired whether the State party was truly committed to the 2030 Agenda for Sustainable Development, in particular the eradication of poverty for persons with disabilities.

24. **Mr. You** Liang, referring to article 29, asked to what extent persons with disabilities were able to access information about parliament and national and local elections and to exercise their right to vote. Turning to article 28, he asked how the State party intended to promote poverty reduction, especially for persons with disabilities, taking into account the Convention, the 2030 Agenda for Sustainable Development and Sustainable Development Goal 1 to end poverty in all its forms everywhere.

25. **Mr. Basharu** said that the State party must do more to increase access to information for the deaf and the blind by increasing the use of Braille, audio texts and sign language. It should also eliminate the use of pejorative terms such as "handicapped" and "dumb" in official documents. Regarding article 29, he wondered why a voting ballot from a person with a disability who was allowed to vote from home was not entrusted to someone chosen by that person, rather than a member of the electoral commission, to be taken to the polling station.

26. **Ms. Quan-Chang** said that more must be done to protect women and children with disabilities in institutions from sexual violence and its consequences. It was not sufficient to prescribe contraceptive measures, even if consent was required from the individual or their representative, especially since generally that representative was a staff member. She requested more information on measures to protect the rights of women and children in institutions.

27. With regard to article 28, she said that she would welcome information on measures aimed at including families with children or older dependents with disabilities in society and the community and ensuring they enjoyed a decent standard of living, in particular with regard to highly vulnerable and marginalized groups, for example the Roma and migrants.

28. Lastly, turning to article 33, she asked to what extent the Council for Monitoring the Implementation of United Nations Human Rights Mechanisms coordinated with persons with disabilities on the implementation of the Convention, whether implementation of the Convention would be strengthened and when an independent monitoring mechanism with the involvement of representatives from civil society organizations would be established.

29. **Mr. Kim** Hyung Shik, referring to article 27, said that the State party should focus on creating a culture of accommodation and inclusion for the employment of persons with disabilities rather than piecemeal subsidies and benefits, in order to ensure equal opportunity for persons with disabilities. He would welcome more information on the notion of professional rehabilitation and on the work centres mentioned in the report. He wondered whether the work centres were different from "sheltered workshops".

30. Turning to article 28, he stressed that the key to improved quality of life was gainful employment and requested information on the general standard of living of persons with disabilities, for example income relative to the national average, and on the number of persons with disabilities living in poverty.

31. **Ms. Degener** said that she had concerns about medical procedures performed on women with disabilities in institutions, for example insertion of intrauterine devices without anaesthesia, Pap tests and terminations of pregnancy. She asked how many such procedures had been performed since the State party's ratification of the Convention. With regard to the delegation's remarks about turning special education schools into schools to prepare persons with severe or multiple disabilities for inclusion in regular schools, she cautioned that the Committee's experience was that such measures generally failed; the best approach was inclusion from an early age through the provision of suitable accommodation in the regular school system.

32. **Ms. Peláez Narváez** asked whether Braille would be recognized as an official form of writing and whether Braille textbooks would be made available to all students who needed them. She would welcome information on how the State party intended to guarantee the right of a mother with a disability to raise her child at home, including if that child also had a disability. She was concerned at the high number of children with disabilities placed in institutions and asked if there were frequent parental visits and what educational services were provided to deaf and blind children.

33. Recalling the recommendation made by the Committee on the Elimination of Discrimination against Women to the effect that the State party should take the measures necessary to ensure the full and effective realization of the right of women with disabilities to sexual and reproductive health (CEDAW/C/SRB/CO/2-3, para. 33 (c)), she expressed concern about the lack of adapted health facilities for women with disabilities, for example for mammograms and obstetric care. The State party had signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and she requested information on steps taken to support women victims of violence, especially women with disabilities.

34. **Mr. Buntan** said that the delegation should provide information about the levels of funding for special education and for making mainstream schools inclusive, as well as about measures to increase accessibility and accommodation in regular schools so that persons with disabilities could develop their full potential. He wondered whether the State party was committed to implementing the 2030 Agenda for Sustainable Development and whether it intended to ratify and implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

35. **The Chair**, referring to article 28, asked what measures the State party had adopted to implement the recommendation of the Committee on Economic, Social and Cultural Rights to increase social assistance benefits for persons with disabilities in the context of poverty reduction measures for vulnerable groups.

36. Turning to article 26, she requested information on what proportion of persons with disabilities had access to full rehabilitation services.

37. Lastly, by way of follow-up to article 14, she said that she would welcome further information on procedures relating to assessments of the legal capacity of persons with disabilities and in particular on safeguards in that area.

The meeting was suspended at 11.20 a.m. and resumed at 11.45 a.m.

38. **Ms. Kotevic** (Serbia) said that, under the Law on Social Protection, the licensing procedure for bodies providing disability-related services would be completed in May 2015. All applications for licences were considered by the Ministry of Labour, Employment, Veteran and Social Affairs. A number of licences had been issued to service providers, including two in the field of personal assistance for children, 12 relating to day-care centres for children and youth with physical and intellectual impairments, 2 for supportive housing and 23 regarding home care and assistance.

39. There were currently 21 State-funded day-care centres operated by organizations of persons with disabilities. Those centres served 220 children with disabilities and employed 110 staff members. In 2015, the centres had received more than 18 million dinars in government funding. Personal assistance was provided to 90 persons with disabilities by 15 professionals employed by organizations of persons with disabilities, which had received over 3.5 million dinars in government funding for that purpose. Respite services were provided by 45 professionals to 150 children with disabilities and had attracted over 7.5 million dinars in government funding in 2015. Pedagogical support, legal aid telephone helplines and tele-assistance were provided by organizations of blind persons and multiple sclerosis patients. Around 13,000 deaf persons and persons with hearing impairments had benefited from Government-funded sign language interpretation services. Public information requests could be filed via e-mail or by post. Blind persons could be provided with free reader software to allow them to access public information. In the light of the adoption of the Law on Prevention of Discrimination against Persons with Disabilities and the ratification of the Convention, efforts were being made to ensure that all legislation and documents relating to persons with disabilities were drafted using terminology consistent with the Convention and to raise awareness of the issue among journalists. Under the Law on Social Protection, a protocol had been introduced on the conduct of staff in social protection institutions which specifically prohibited the use of all forms of violence and exploitation against residents.

40. As a result of planned amendments to the Family Law and legislation on civil proceedings, judges would be required to determine in which cases persons with disabilities required a legal guardian. In total, 477 children with disabilities, many of whom had multiple developmental impairments, were currently living in social care institutions. A majority of the parents concerned had placed their children in an institution because they could not meet their health-care needs. Other reasons for placing children in an institution included absence of or inadequate parental care. In September 2015, 30 per cent of a total of 6,000 foster carers had been special foster carers. The number of children in institutions had been reduced dramatically. In the future, the Government would focus on independent living, supportive housing and small residential communities, rather than on large-scale institutions.

41. **Ms. Prijic** (Serbia) said that, in 2011, questions on disability had been included in the national population census questionnaires for the first time; however, the data obtained on persons with disabilities had not been sufficiently precise. Work was ongoing to prepare mandatory questions on disability for inclusion in the next census questionnaire. Census officials would be trained how to ask such questions and process the answers. The National Organization of Persons with Disabilities of Serbia was cooperating in efforts to develop a database containing information on persons with disabilities disaggregated by age, sex, type of disability, employment status, education and income, among other things. To date, the details of more than 40,000 persons with disabilities had been entered into the database.

There were 33 federations of organizations of persons with disabilities and 530 such organizations in Serbia.

42. A sign language dictionary had been published in 2003, and an amended version had been released in 2015. Work was currently ongoing to develop a sign language and deaf culture studies programme and sign language classes had been run for the past 14 years. The Council for Persons with Disabilities was examining the issue of the standardization of sign language, drawing on contributions from persons with disabilities, government officials and experts in the field in question. To date, more than 300 persons, including officials working in the employment, education, social service and health-care sectors, had learned basic sign language. Televised parliamentary debates and news programmes were increasingly accompanied by sign language interpretation. A law on the use of Serbian Sign Language had recently been adopted. Text messages and e-mails could be sent by persons with disabilities requiring urgent assistance and work was ongoing to set up a telecentre to deal with the needs of deaf persons.

43. The NGO network Out of Circle provided assistance to women with disabilities who were victims of violence and had equipment enabling it to receive messages sent by blind persons. Work-capacity assessments were carried out in line with the World Health Organization International Classification of Functioning, Disability and Health. In cases where a person with disabilities was deemed fit for employment under general conditions, no adaptation was required in terms of the job in question. In cases of employment under special conditions, provision was made for reasonable adaptation of the workplace or the job concerned, or in certain cases, both. Persons with disabilities could access job-specific training and attend classes in communication and entrepreneurship, job-clubs and employment fairs. Employers recruiting persons with disabilities enjoyed financial benefits, while the recruits themselves received allowances and financial incentives had been put in place to encourage persons with disabilities to become self-employed. In 2015, 750 million dinars had been allocated to vocational retraining and 500 million dinars had been spent on active employment policy.

44. A number of special measures relating to the adaptation of jobs and workplaces were outlined in paragraph 312 of the State party report. Companies for professional rehabilitation focused on a variety of professions; at least 50 per cent of their employees were persons with disabilities and they provided specific vocational retraining. Social companies promoted and supported entrepreneurship among vulnerable population groups and offered social protection services. Steps had also been taken to devise activities for persons with disabilities for whom employment could not be found. As a result of vocational rehabilitation measures, more than 1,500 persons with disabilities had found work within the past year.

45. **Mr. Kotevic** (Serbia) said that persons with mental impairments potentially posing a threat to themselves or to others were assessed by a psychiatrist prior to being placed in a psychiatric institution. The medical staff at the institution in question carried out a second psychiatric assessment within one day of the arrival of the person concerned to decide whether he or she should be released. The courts must be notified of any decision in favour of continued detention within 24 hours of that decision being taken. Judges must maintain an impartial stance and faced disciplinary measures should they fail to do so. When inserting an intrauterine device into any patient, including women with disabilities, doctors must at all times act in an ethical manner. No medical procedure could be carried out without the prior consent of the patient concerned or that of his or her legal guardian. If there had been instances in which abortions and Pap tests had been performed and intrauterine devices inserted without the use of anaesthetic, then those were exceptional cases. The final decision relating to the use of anaesthetic lay with the treating anaesthetist.

Patients who believed that they had suffered as a result of such procedures could file an official complaint.

46. All primary and most secondary and tertiary health-care centres were equipped with access ramps and were accessible to persons with disabilities. Two mobile mammography units had been purchased to allow for breast-cancer screening of women unable to travel to a medical centre. The National Strategy for Improving the Position of Women and Promoting Gender Equality and its action plan provided for measures on the improvement of the health of women with disabilities and the procurement, in 2016, of gynaecological examination chairs for women with disabilities.

47. Serbia had ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence. The standards being developed for the operation of telephone helplines for victims of violence would take into consideration the needs of women with disabilities, in particular deaf women. Easily accessible shelters had been set up, as required under article 23 of the Council of Europe Convention.

48. **Ms. Loncar-Kasalica** (Serbia) said that Serbian legislation on driving licences was in line with Annex III (Minimum Standards of Physical and Mental Fitness for Driving a Power-Driven Vehicle) of Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (Recast). Driver training was available to persons who, following a medical examination, had been issued a certificate attesting to their fitness for driving. Customized vehicles were used for the practical training of persons with physical or sensory impairments. Such persons could also complete the training using their own vehicles. Licences were issued with appropriate restriction codes. Code 04, for example, meant that the licensed driver could not drive a vehicle with a manual gearbox.

49. **Ms. Sinic** (Serbia) said that the Ministry of Education was expected shortly to adopt an action plan on social inclusion. It defined the steps to be taken to improve inclusive education in Serbia. Data to compare the funds earmarked for children with disabilities in mainstream schools and those earmarked for such children in special schools were not available, but as a general rule student-teacher ratios in special education schools were far lower than in mainstream schools, making mainstream education the less costly option. One pending challenge was to ensure that school funding followed any children who transitioned from special to mainstream schools.

50. Many deaf and blind children had been successfully educated in mainstream schools, but they could also attend special schools. As the Law on Textbooks and Other Teaching Materials stipulated that students with disabilities were to be given textbooks tailored to their needs, a set of rules on the methods of tailoring textbooks to the needs of such students was in development. Braille textbooks and terminals were available to students, as were specialized computer programs and a Braille version of the primary school leaving examination. Competitions organized by the Ministry of Education relied on tests that had been translated into Braille.

51. Except for those working in special schools, teachers were not systematically given training in sign language. However, some who taught deaf or blind students had taken it upon themselves to learn sign language or Braille.

52. Measures had been taken to promote preferential university admissions for students with disabilities, for whom 1 per cent of university places were reserved. Support could be sought from the Centre for Students with Disabilities, located in Belgrade, and all necessary accommodations were made for students with disabilities taking university entrance examinations.

53. Although individual education plans were a powerful mechanism for customizing students' educational experiences, teachers had resisted implementing them. Nonetheless, since 2009, considerable work had been done, including in the area of in-service training, to help teachers make inclusive education a reality. University professors were scheduled to receive training in ways of improving initial teacher training in April 2016.

54. **Ms. Milenkovic** (Serbia) said that the methods whereby persons with disabilities could exercise their right to vote were provided for by the Law on the Election of Deputies. Those methods included voting by proxy and marking a ballot at home and having it delivered in a sealed envelope to the polling station by poll workers. According to the rules for the elections called for 24 April 2016, any voters who were unable to mark a ballot could have a person of their choice mark it for them. Instructions on ensuring the accessibility of polling stations to persons with disabilities had been adopted. Braille ballots, however, had not yet been introduced, and there was a shortage of sign language interpreters in the country.

55. **Ms. Stajic-Radivojsa** (Serbia) said that Serbia had been one of the few countries in its region to have taken an active role in the Open Working Group on Sustainable Development Goals. The country's President had acknowledged that the 2030 Agenda for Sustainable Development was highly ambitious, and very shortly thereafter a working group had been set up to bring together representatives of all the ministries and public agencies responsible for ensuring progress towards any of the 17 goals, including ending poverty. Another intersectoral working group had been set up to coordinate the efforts made to achieve the goals, make related proposals and produce periodic progress reports.

56. **Mr. Vukičevic** (Serbia) said that persons not accountable for their actions could not be found guilty of criminal offences. Such persons could be committed to a psychiatric facility. After a set period of time, the decision was reviewed. The authorities were aware that the situation was not ideal, however, and efforts were being made to ensure that people were not kept in psychiatric facilities any longer than absolutely necessary.

57. **Ms. Jović** (Office of the Ombudsman, Serbia) said that although Serbia had made efforts to implement the Convention, the situation was not entirely satisfactory, as even the authorities had acknowledged. To enable persons with disabilities to exercise their rights and to be included in the community, additional efforts had to be made to ensure that public agencies and NGOs cooperated fully at local, provincial and national levels. Such cooperation would make it possible to make the most effective use of the country's limited resources. Data collection, which was currently insufficient, the development of key indicators and independent monitoring were also critical.

58. **Mr. Janković** (Office of the Ombudsman, Serbia) said that Serbia needed above all to step up efforts to reduce the number of persons with disabilities in large institutions and develop local centres staffed by multidisciplinary specialists. Persons with disabilities and the members of their families could thus be given support in their communities.

59. The changes that needed to be made included repealing the legal provisions that made it possible to keep persons with disabilities in isolation, to bring efforts to provide support to such persons under a single umbrella organization and to develop a set of rules on the treatment of persons in institutions. The Serbian mechanism for the prevention of torture would monitor the implementation of the recommendations made by the Committee in its concluding observations.

60. **Mr. Lovászy** (Country Rapporteur) said that every nation needed heroes: one outstanding Serbian hero had been the nineteenth-century philologist Vuk Stefanović Karadžić, who, despite his reduced mobility and his difficult childhood, had become one of the greatest figures in Serbian culture, and had contributed to improving the way in which persons with disabilities were perceived in that county as well as to a wider understanding of the notion of reasonable accommodation.

The meeting rose at 1 p.m.